

Notice of Allowability

Application No.

09/733,873

Examiner

Beth Van Doren

Applicant(s)

YANG, PING

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications received 01/17/2006.
2. ☒ The allowed claim(s) is/are 1-3,5-8,11,30-35,37-39,42,71-80,82-86,88-90,92-96,98,99 and 106-121.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 20051205
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

1. The following statement of reasons for allowance is in response to the supplemental communications received 01/17/2006. A response was filed on 12/27/05, by which claims 1, 3-8, 11, 33, 35-39, 42, and 71-75 were amended and claims 76-119 were added. A supplemental response was filed on 01/17/2006, in which claims 1, 4, 11, 33, 36, 42, 76-80, 82-86, 88-90, 92, 94-96, 98, 106, 107, and 113-114 were amended and claims 81, 87, 91, 97, and 100-105 were canceled. Thus, claims 1-8, 11, 30-39, 42, 71-80, 82-86, 88-90, 92-96, 98-99, and 106-119 were pending in communications filed 01/17/2006.

This current action includes an Examiner's Amendment, by which claims 1, 5-8, 11, 30, 33, 37-39, 42, 76, 78, 79, 82, 84, 85, 88, 89, 94-96, 113, 114 have been amended, claims 4 and 36 have been canceled, and claims 120-121 have been added (see below). Therefore, claims 1-3, 5-8, 11, 30-35, 37-39, 42, 71-80, 82-86, 88-90, 92-96, 98, 99, and 106-121 are currently pending and are allowed.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes be unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Andrew Jordan on 03/29/06. The application has been amended as follows:

In the claims:

In claim 1:

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after the element “identifying a commuting route of the buyer comprising [...], the commuting route connecting the beginning address and the ending address;” **please add:**

receiving commuting route information from a second buyer by the server, the second buyer commuting route information including a second buyer beginning address and a second buyer ending address;

identifying a commuting route of the second buyer comprising selecting at least one second buyer commuting route parameter and calculating for the second buyer by the server a second buyer commuting route based on the second buyer commuting route parameter, the second buyer commuting route connecting the second buyer beginning address and the second buyer ending address;

recognition by the server of an overlapped route segment within the identified commuting routes;

selecting a pickup point along the overlapped route segment;

please also delete the limitation:

[selecting a pickup point along the identified commuting route;]

In claims 6-8:

please replace the limitation “The method of claim 4” with the limitation --The method of claim 1--.

Please cancel claim 4

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In claim 11:

after the element “identifying a commuting route of the buyer comprising [...], the commuting route connecting the beginning address and the ending address;” **please add:**

receiving commuting route information from a second buyer, the second buyer commuting route information including a second buyer beginning address and a second buyer ending address;

identifying a commuting route of the second buyer comprising selecting at least one second buyer commuting route parameter and calculating for the second buyer by the server a second buyer commuting route based on the second buyer commuting route parameter, the second buyer commuting route connecting the second buyer beginning address and the second buyer ending address;

recognition by the server of an overlapped route segment within the identified commuting routes;

selecting a pickup point along the overlapped route segment;

please also delete the limitation:

[selecting a pickup point along the identified commuting route;]

In claim 30:

please amend the first limitation as follows: “receiving a buyer’s commuting route information from the buyer, [said] the route information including a beginning address and an ending address;”.

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In claim 33, please amend as follows:

33. A data processing system adapted to schedule and deliver a product to a buyer along a commuting route, comprising:

a processor;

a memory operably coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions, the program instructions including:

receiving an order of a product from a buyer;

receiving commuting route information from the buyer by a server, [said] the commuting route information including a beginning address and an ending address;

identifying a commuting route of the buyer comprising selecting at least one commuting route parameter and calculating by the server the commuting route based on the commuting route parameter, the commuting route connecting the beginning address and the ending address;

receiving commuting route information from a second buyer by the server, the second buyer commuting route information including a second buyer beginning address and a second buyer ending address;

identifying a commuting route of the second buyer comprising selecting at least one second buyer commuting route parameter and calculating for the second buyer by the server a second buyer commuting route based on the second buyer commuting route parameter, the second buyer commuting route connecting the second buyer beginning address and the second buyer ending address;

recognition by the server of an overlapped route segment within the identified commuting routes; and

selecting a pickup point along the overlapped route segment;

[selecting a pickup point along the identified commuting route;]

administrating loading of the buyer ordered product to a mobile pick up station at a warehouse that is in communication with the server;

administrating dispatching of the mobile pickup station to the selected pickup point, the mobile pickup station containing the product ordered by the buyer; and

administrating stationing of the mobile pick up station at the pick up point;

the mobile pick up station being removable from the pick up point;

whereby the buyer may pick up the order from the mobile pick up station.

Please cancel claim 36

In claims 37-39, please replace the limitation “The data processing system of claim 36” with the limitation --The data processing system of claim 33--.

In claim 42, please amend as follows:

42. A data processing system adapted to schedule and deliver a product to a buyer by a server using a third party seller affiliate, comprising:
a processor;

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a memory operably coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions, the program instructions including:

receiving an order for a product from a buyer;

receiving commuting route information from the buyer, [said] the route information including a beginning address and an ending address;

identifying a commuting route of the buyer comprising selecting at least one commuting route parameter and calculating by the server the commuting route based on the commuting route parameter, the commuting route connecting the beginning address and the ending address;

receiving commuting route information from a second buyer, the second buyer commuting route information including a second buyer beginning address and a second buyer ending address;

identifying a commuting route of the second buyer comprising selecting at least one second buyer commuting route parameter and calculating for the second buyer by the server a second buyer commuting route based on the second buyer commuting route parameter, the second buyer commuting route connecting the second buyer beginning address and the second buyer ending address;

recognition of an overlapped route segment within the identified commuting routes;

selecting a pickup point along the overlapped route segment; and

[selecting a pickup point along the identified commuting route;]

selecting a third party seller affiliate from a plurality of third party sellers based on the location of the pickup point;

administrating loading of the buyer ordered product to a mobile pick up station at a third party affiliate's warehouse by the third party affiliate;

administrating dispatching by the third party seller affiliate of the mobile pickup station to the selected pickup point, the mobile pickup station containing the products ordered by the buyer; and

administrating stationing of the mobile pick up station at the pick up point;

the mobile pick up station being removable from the pick up point;

whereby the buyer may pick up the order from the mobile pick up station.

In claims 82, 85, and 95, please amend elements as follows:

administrating stationing of the mobile pick up station at the pick up point for the station time;

administrating releasing of the product by an operator of the mobile pickup station when the buyer or his agent arrives at the pick up point to pick up the product; and

administrating returning of the product to a warehouse by the mobile pickup station if the buyer or his agent fails to arrive at the pickup point to pickup the product during the station time.

In claim 84, please amend as follows:

displaying by the server a map, [said] the map displaying a plurality of pickup points selected by the server;

In claim 88, please amend elements 3 and 5 as follows:

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each of the [said] commuting route information including a beginning address and an ending address;

generating by the server an overlapped route segment within the [said] identified commuting routes;

In claim 94, please amend the following elements:

each of the [said] commuting route information including a beginning address and an ending address;

generating by the server an overlapped route segment within the [said] identified commuting routes;

administrating loading of the buyer ordered product to a mobile pick up station at a warehouse that is in communication with the server;

administrating dispatching of the mobile pickup station to the selected pickup point, the mobile pickup station containing the product ordered by the buyer; and

administrating stationing of the mobile pick up station at the pick up point;

In claim 96, please amend as follows:

the station time ends when [The] the product is released.

In claim 113, please amend the following elements:

administrating loading of said first buyer ordered product to a mobile pick up station at a warehouse that is in communication with the server;

administrating dispatching of said mobile pickup station to said selected pickup point,
said mobile pickup station containing said first product ordered by said first buyer; and
administrating stationing of said mobile pick up station at said pick up point;

In claim 114, please amend the following elements:

administrating stationing of said mobile pick up station at said pick up point for said
station time;

said mobile pick up station removable from said pick up point when said station time
ends; and

administrating releasing of said product to said first buyer when said first buyer arrives at
said pick up point to pick up said product during the station time.

Please add claims 120-121 as follows:

120. A method for scheduling and delivery of a product to a buyer along a commuting route,
comprising:

receiving an order of a product from a buyer;

receiving commuting route information from the buyer by a server, the commuting route
information including a beginning address and an ending address;

identifying a commuting route of the buyer comprising selecting at least one commuting
route parameter and calculating by the server the commuting route based on the commuting route
parameter, the commuting route connecting the beginning address and the ending address;

selecting a pickup point along the identified commuting route, including:

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receiving a channel width from the buyer;

calculating a channel area using the channel width and the route information;

determining a set of pickup points from the plurality of pickup points based on the channel area; and

selecting from the set of pickup points a pickup point;

loading the buyer ordered product to a mobile pick up station at a warehouse that is in communication with the server;

dispatching the mobile pickup station to the selected pickup point, the mobile pickup station containing the product ordered by the buyer; and

stationing the mobile pick up station at the pick up point, the mobile pick up station being removable from the pick up point;

whereby the buyer may pick up the order from the mobile pick up station.

121. A data processing system adapted to schedule and deliver a product to a buyer along a commuting route, comprising:

a processor;

a memory operably coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions, the program instructions including:

receiving an order of a product from a buyer;

receiving commuting route information from the buyer by a server, the commuting route information including a beginning address and an ending address;

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identifying a commuting route of the buyer comprising selecting at least one commuting route parameter and calculating by the server the commuting route based on the commuting route parameter, the commuting route connecting the beginning address and the ending address;

selecting a pickup point along the identified commuting route, including;

receiving a channel width from the buyer;

calculating a channel area using the channel width and the route information;

determining a set of pickup points from the plurality of pickup points based on the channel area; and

selecting from the set of pickup points a pickup point;

administrating loading of the buyer ordered product to a mobile pick up station at a warehouse that is in communication with the server;

administrating dispatching of the mobile pickup station to the selected pickup point, the mobile pickup station containing the product ordered by the buyer; and

administrating stationing of the mobile pick up station at the pick up point;

the mobile pick up station being removable from the pick up point;

whereby the buyer may pick up the order from the mobile pick up station.

Reasons for Allowance

3. Claims 1-3, 5-8, 11, 30-35, 37-39, 42, 71-80, 82-86, 88-90, 92-96, 98, 99, and 106-121 are allowed.

4. The following is an examiner's statement of reasons for allowance:

As per independent claims 1, 11, 33, 42, 88, 94, 106, and 113, and their respective dependent claims, none of the prior art of record, taken individually or in any combination,

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teach, inter alia, receiving commuting route information including a beginning and an end address from a first and second buyer by the server, selecting a commuting route parameter for each commuting route and calculating by the server a commuting route using the parameter. The server then recognizes an overlapping route segment between the commuting routes, selects a pickup point along this overlapped segment, and dispatches a mobile pickup station containing the product ordered to the selected pickup point.

As per independent claims 30, 120, and 121, and their respective dependent claims, none of the prior art of record, taken individually or in any combination, teach, inter alia, receiving from a buyer a channel width and commuting route information including a beginning and ending address and calculating a channel area using this channel width and commuting route information. A pickup point is selected based on the channel area and a mobile pickup station containing the product ordered is dispatched to the selected pickup point.

The prior art references most closely resembling the Applicant's claimed invention are Moreno (U.S. 2002/0035515), Lyons et al. (U.S. 2002/0077937), Huxter (U.S. 2002/0103653), and Moreno (U.S. 6,882,269).

Moreno (U.S. 2002/0035515) discloses a computer-implemented purchasing system that receives input from a first and a second buyer, the input including identification of a purchased goods and pickup locations. The purchaser is then notified that the product is available for pickup at the preferred location. Lockers are reserved at remote locations, wherein the locker is a receptacle for delivery of an order on a specified date. However, Moreno (U.S. 2002/0035515) does not expressly disclose calculating by the server a commuting route using a parameter and received commuting route information from first and second buyers, recognizing an overlapping

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route segment between the commuting routes, and selecting a pickup point along this overlapped segment. Further, Moreno (U.S. 2002/0035515) does not expressly disclose calculating a channel area using channel width and commuting route information received from a buyer and selecting a pickup point based on the channel area.

Lyons et al. discloses receiving input from a first and a second buyer, the input including a product identification and one or more pickup locations. Each buyer specifies a range and/or ranking of acceptable delivery or pickup times and locations. Each buyer also can elect to have the product placed in or delivered to a locker for pickup. The product is then delivered to the pickup location and the buyer is notified that the product is available. A delivery service is responsible for transporting the product to the pickup location and placing the product in a locker. The customers are given desirable pickup options with shorter delivery distance or time. However, Lyons et al. does not expressly disclose calculating by the server a commuting route using a parameter and received commuting route information from first and second buyers, recognizing an overlapping route segment between the commuting routes, and selecting a pickup point along this overlapped segment. Further, Lyons et al. does not expressly disclose calculating a channel area using channel width and commuting route information received from a buyer and selecting a pickup point based on the channel area.

Huxter discloses an e-commerce environment where customers, delivery agents, and retailers arrange the delivery of goods ordered from a retailer to an automated collection point accessible by the customer. Each customer has a profile composed of a list of preferred automated collection points, communication channels (i.e. email, telephone, post), etc. Addresses such as home and office addresses are compared to automated collection points to

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build this preferred list. Therefore, when Etailers sell goods through an online medium to a customer, a customer's profile is utilized to schedule delivery by a delivery company to the automated collection points. The automated collection points have lockers in which the ordered product is contained. However, Huxter does not expressly disclose selecting a commuting route parameter for each commuting route and calculating by the server a commuting route using the parameter for multiple customers and using overlapping route segment between the commuting route to select a pickup point along this overlapped segment, and dispatches a mobile pickup station containing the product ordered to the selected pickup point. Huxter further does not expressly disclose receiving from a buyer a channel width and using this channel width to calculate a channel area, where the pickup point is selected based on the channel area and a mobile pickup station containing the product ordered is dispatched to the selected pickup point.

Moreno (U.S. 6,882,269) discloses a system that enables vendors, delivery services, and customers to use lockers for the purpose of delivering a product to a customer. Lockers include mobile lockers, such as shipping containers, U-Hauls, and vehicle/trailers, which are transported to a designated address. The locker may be delivered to a centralized location or at any location where the secure delivery of goods is requested, such as a construction site, a business, or an apartment complex. However, Moreno (U.S. 6,882,269) does not expressly disclose receiving commuting route information including a beginning and an end address from a first and second buyer, calculating a commuting route using the addresses and a parameter, recognizing an overlapping route segment between the commuting routes, and selecting a pickup point along this overlapped segment. Moreno (U.S. 6,882,269) further does not expressly disclose

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calculating a channel area using a channel width and commuting route information received from a buyer and selecting a pickup point based on the channel area.

5. Any comments considered necessary by the Applicant must be submitted by no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statements for Reasons for Allowance".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kinoshita et al. (JP 411141208 A) discloses a locker used for home delivery.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737.

The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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March 30, 2006


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